

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

_____)	
Amy St. Pierre,)	
)	
Plaintiff)	
)	
v.)	Civil No. 1:20-cv-01173-PB
)	
Stephen J. Griffin,)	
)	
Defendant.)	
_____)	

**CONCURRENCE STATEMENT IN SUPPORT OF PLAINTIFF'S MOTION TO
EXPEDITE DISCOVERY (SUBPOENA)**

Defendant Griffin's Counsel Phillip Rakhunov was contacted and through email reply has objected to *pro se* Plaintiff St. Pierre's request for early, expedited, limited discovery - specifically, a subpoena to Google for information on Plaintiff's Google Drive.

On January 20, 2021, Mrs. St. Pierre notified Mr. Rakhunov know of her intentions to issue the subpoena to Google and on January 22, 2021 sent him a copy of the Notice and signed Subpoena. That same day, Mr. Rakhunov replied, directing her attention to Fed. R. Civ. P. 26(d)(1) and stating:

"We are not aware of any court order authorizing you to take early third-party discovery, particularly where a motion to dismiss your complaint is pending. Please confirm that you have not served the attached subpoena. If you have served it, please withdraw it immediately and provide us with proof of the same by close of business today. If you fail to do so, we will seek court intervention."

Mrs. St. Pierre then replied on January 24, 2021 explaining the nature of the request and seeking to understanding why she would be unable to obtain concurrence:

"This subpoena is for information on my personal Google Drive amystp25@gmail.com, so I can't imagine why you would object. You have been adamant that your Client Mr. Griffin, and Mr. Pollack, partner at Pollack Solomon Duffy LLP did not access

amystp25@gmail.com so I thought it would be welcome news to get this disagreement settled since both the Complaint (and thus Motion to Dismiss), and Motion to Disqualify Counsel rely on this information.”

Mr. Rakhunov sent a final reply to Mrs. St. Pierre in an email dated January 25, 2021:

“As I explained below, we object to your early discovery efforts because they are prohibited under the applicable rules, particularly where a motion to dismiss your complaint is pending.”

Therefore, Mrs. St. Pierre seeks approval through a court order and respectfully requests that this Court grant its motion to expedite this limited discovery, allowing third-party Google LLC to produce: (1) activity for Plaintiff’s Google Drive account amystp25@gmail.com between December 25, 2018, and January 5, 2019 and (2) account holder information of those that accessed that account during that period.

Dated: Jan 26, 2021

Respectfully submitted,

AMY ST. PIERRE, *pro se*

By: /s/ Amy St. Pierre
Amy St. Pierre (*pro se* Plaintiff)
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CERTIFICATE OF SERVICE

The undersigned certifies that defendant Stephen J. Griffin is being served with a copy of this Motion by via Electronic Filing.

/s/ Amy St. Pierre